

§ 160.79

any duplicates, or of replacing those damaged beyond repair, or missing, shall be paid promptly by the person to whom they were originally loaned.

§ 160.79 Request for additional standards.

Any person to whom any duplicates have been loaned without security deposit, who shall request and be granted the loan of additional duplicates to replace the original ones, shall be required to deposit the security provided for in § 160.75 prior to the loan of such additional duplicates. If the set of duplicates first loaned to such person, or any part thereof, is recovered, it shall be returned for inspection or repair. The cost of any repairs or replacements shall be paid, whereupon such original set may be returned to such person, and he shall surrender the second set, on receipt of which the security posted therefor shall be returned.

§ 160.80 Denial of loan of additional standards.

It shall be deemed impracticable under the act to loan additional duplicates to any person who has permitted duplicates previously loaned to him, without security, to become lost, damaged, or destroyed, if in the opinion of the Administrator, such loss, damage, or destruction resulted from any failure on the part of the interested person or his agent to take suitable precaution to prevent the loss, damage, or destruction, or when the available supply of duplicates is deemed insufficient to warrant the loan of additional duplicates to such person.

§ 160.81 Surrender of standards.

On the death of any person, or the dissolution or reorganization of any partnership, firm, or corporation, holding any duplicates of the United States Standards for rosin, they shall be promptly returned to the Administrator by the holder thereof.

§ 160.82 Return of security.

The security deposit received from any person to whom duplicates of the United States Standards for rosin have been loaned will be held in the special deposit account of the Department, and the same will be returned to the person

7 CFR Ch. I (1-1-97 Edition)

from whom received, or his legal representative, on surrender of the duplicates secured thereby: *Provided*, That before refund is made the cost of any repairs or replacement shall be deducted.

§ 160.83 Miscellaneous receipts.

All moneys received or withheld to cover the cost of repairs, or of replacing any missing parts of duplicates, or as rental for duplicates, shall be paid into the United States Treasury as Miscellaneous Receipts.

SALES AND SHIPMENTS

§ 160.84 Identification of shipments.

The invoice or contract of sale of any naval stores in commerce shall identify and describe the article in accordance with the classification and the standard of kind and grade provided by the act or established by the Administrator.

§ 160.85 Sale of mixed turpentine not lawful.

Since no standard has been provided for a mixture of two or more kinds of spirits of turpentine, the sale in commerce of any such mixture is prohibited under any designation.

§ 160.86 Prohibited use of United States Standards.

It shall be deemed unlawful under any condition to sell, under or by reference to any United States Standard for naval stores, as provided by the act and defined in the regulations in this part, any article which fails to conform with such standard in all respects: *Provided*, That the phrase "under or by reference to United States Standards" as it appears in the act and the regulations in this part, shall include the use of any words, letters, brands, labels, or marks constituting any of the United States Standards for naval stores on any container of naval stores, on anything attached to or supplied therewith on delivery, or on any inspection, sale, or shipping record or invoice, in describing the kind, classification, or grade of the naval stores covered thereby.

§ 160.87 Prohibited use of word “turpentine” or derivatives thereof.

It shall be deemed unlawful to use in commerce the word “turpentine” or a compound, derivative or imitation thereof, or any word or combination of words which are a part of a United States Standard for any kind of spirits of turpentine, to describe in any manner a mixture of spirits of turpentine with any other oil or solvent.

§ 160.88 Permitted use of words “turpentine” and “rosin.”

The use of the word “turpentine” or the word “rosin” is not prohibited in the name of an article made, prepared, or processed from spirits of turpentine or rosin, or to indicate the process whereby such article was made or prepared: *Provided*, That this section shall not apply to any article covered by § 160.87.

§ 160.89 Medicinal preparations.

A compound or mixture containing spirits of turpentine or rosin, or both, with other drugs, when sold for medicinal purposes, is not subject to the provisions of the Naval Stores Act or of the provisions in this part.

LABELING, ADVERTISING AND PACKING

§ 160.90 False, misleading, or deceitful practices.

No label or other means or practice used in connection with the sale of naval stores in commerce or of anything offered as such shall be false, misleading, or deceitful in any manner.

§ 160.91 Meaning of words “pine” and “pine tree.”

The words “pine” or “pine tree,” when used to designate the source of spirits of turpentine, shall be deemed to mean a living, growing plant of the genus *Pinus*, family Pinaceae, unless the words “wood of” are used in connection therewith. The terms “oleoresin of the southern pine” or “oleoresin from the southern pine” shall be deemed to mean the gum or oleoresin exuded by such living, growing trees, the source of gum spirits of turpentine.

§ 160.92 Meaning of word “gallon.”

The word “gallon,” when used on or impressed into any container of spirits of turpentine, or when used in an invoice referring to spirits of turpentine in containers of 10 gallons content or less, shall mean a United States standard gallon of 231 cubic inches of turpentine, regardless of any other definitive terms used therewith: *Provided*, That this shall not apply to the meaning of the words “imperial gallon”, when placed on containers intended for foreign shipment. For the purpose of these regulations a measured gallon of turpentine, or any indicated multiple or fractional part thereof, shall be such quantity when measured at a temperature of not more than 75 °Fahrenheit, and a weighed gallon shall be construed to mean 7.2 pounds of turpentine.

§ 160.93 Powdered rosin.

The classification and grade of any rosin sold in commerce in a powdered or finely broken condition shall be stated in the invoice or contract of sale in accordance with the kind and grade of the rosin before it was powdered or broken. For the purpose of preventing coalescence there may be incorporated in such article a limited and necessary quantity of inert, nonresinous foreign material: *Provided*, That the nature and quantity of such inert material shall be stated on the label.

§ 160.94 Spirits of turpentine for medicinal use.

Spirits of turpentine so packed, described, labeled, or sold as to indicate that it is offered as a medicament shall nevertheless be subject to the requirements of the Naval Stores Act and of the provisions in this part, as well as any requirements under any other statute.

PROCEEDINGS IN CASE OF VIOLATION

§ 160.95 Proceedings prior to reporting violations of the act.

Whenever it shall appear to the Administrator that any violation of the act should be reported to the United States Department of Justice for appropriate action, he shall serve notice in writing upon the person apparently responsible for the alleged violation